

**CITY COUNCIL MEETING
CITY OF WATERTOWN
June 3, 2013
7:00 p.m.**

Mayor Jeffrey E. Graham Presiding

Present: Council Member Roxanne M. Burns
Council Member Joseph M. Butler, Jr.
Council Member Teresa R. Macaluso
Council Member Jeffrey M. Smith
Mayor Graham

Also Present: Sharon Addison, City Manager
Robert J. Slye, City Attorney

City staff present: Elliott Nelson, Jim Mills, Ken Mix, Kurt Hauk, Brian Phelps, Amy Pastuf, Erin Gardner, Mike Sligar, Barbara Wheeler, Peter Keenan, Pete Monaco

The City Manager presented the following reports to Council:

- Resolution No. 1 - Approving the 2013 Youth Employment Training Program Contract Between the City of Watertown and the Jefferson-Lewis Workforce Investment Area
- Resolution No. 2 - Accepting Bid for Chemicals at the Water Treatment Plant, Slack Chemical
- Resolution No. 3 - Accepting Bid for Waste Water Treatment Plant Disinfection Improvements Project, General Construction, C.O. Falter Construction Inc.
- Resolution No. 4 - Accepting Bid for Waste Water Treatment Plant Disinfection Improvements Project, Electrical Work, Dow Electrical Inc.
- Resolution No. 5 - Accepting Bid for Waste Water Treatment Plant Disinfection Improvements Project, HVAC and Plumbing, Hyde Stone
- Resolution No. 6 - Accepting Bid for Recycling Bodies, GSP Marketing Inc.
- Resolution No. 7 - Accepting Bid for Pool Chemicals for Parks and Recreation Department, Slack Chemical Company, Inc.
- Resolution No. 8 - Authorizing Professional Services Supplemental Agreement for Preliminary Design of the Factory Street Reconstruction Project, PIN 775315, AECOM
- Resolution No. 9 - Readopting Fiscal Year 2012-13 General and Library Fund Budgets
- Tabled - Ordinance Amending the Code of the City of Watertown, §310-1, Definition of Family and §310-34, Accessory Uses in Residence Districts
- Board and Commission Appointments
- Invitation to the Mayor Joseph M. Butler Pavilion Dedication
- North Hamilton Street Curbing/Paving Project

Complete Reports on file in the office of the City Clerk

Meeting opened with a moment of silence in honor of Charmaine Wright, the widow of Council Member Bruce Wright, and Ralph Brouty, a longtime president and chairman of the board for Watertown Savings Bank.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of May 20, 2013 was dispensed and accepted as written by motion of Council Member Roxanne M. Burns, seconded by Council Member Jeffrey M. Smith and carried with all voting in favor thereof.

COMMUNICATIONS

An email was received from New York State Coalition Opposed to Fluoridation in opposition of the fluoridation of water.

An email was received from Tom Petrie, Dean of the Vet College at Cornell University in opposition of the fluoridation of water.

A letter was received from Dr. Paul J. Michaelson, 825 Washington Street in support of the fluoridation of water.

A letter was received from Judith Richmond Overton, Dental Director of the North Country Children's Clinic in support of water fluoridation.

A letter was received from Madelyn I Scott, 663 S. Hamilton Street concerning an injury that she sustained while jogging on the sidewalk in front of 209 Thompson Boulevard on May 15, 2013. She is requesting that this sidewalk be replaced and that more adequate lighting be installed in this block of Thompson Boulevard.

Above communications were placed on file in the office of the City Clerk.

PRIVILEGE OF THE FLOOR

No one spoke.

RESOLUTIONS

Resolution No. 1 - Approving the 2013 Youth Employment Training Program Contract Between the City of Watertown and the Jefferson-Lewis Workforce Investment Area

Introduced by Council Member Jeffrey M. Smith

WHEREAS the Jefferson County Department of Employment and Training and the Jefferson-Lewis Workforce Investment Area has allocated to the City of Watertown seven (7) funded training positions under the Summer Youth Employment Training Program, and

WHEREAS various departments of the City of Watertown can provide training opportunities for young people of the community, and

WHEREAS the City and Jefferson County Department of Employment and Training have cooperated in past years with this same program,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New

York, that it hereby authorizes the City's participation in the 2013 Summer Youth Employment Training Program, and

BE IT FURTHER RESOLVED that the City Manager, Sharon Addison, is hereby authorized and directed to execute the Youth Employment Training Program Contract on behalf of the City of Watertown.

Seconded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.

Resolution No. 2 - Accepting Bid for Chemicals at the Water Treatment Plant, Slack Chemical

Introduced by Council Member Teresa R. Macaluso

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of chemicals for use at the City's Water Treatment Plant, for the City's 2013-2014 fiscal years' requirements, and

WHEREAS invitations to bid were issued to thirteen (13) bidders, with a total of four (4) bids received, and

WHEREAS on Thursday, May 23, 2013 at 11:00 a.m. in the City Purchasing Department, the bids received were publicly opened and read, and

WHEREAS City Manager Amy M. Pastuf reviewed the bids received with the Water Filtration Department, and it is their recommendation that the City Council accept the bid from Slack Chemical of Carthage, New York, as detailed below:

Item Description	2013-2014
Aluminum Sulfate Liquid	\$100,960.80
Powdered Activated Carbon	\$1,460.00
Chlorine Liquid	\$22,218.24
Copper Sulfate, Size B	\$4,578.00
Hydrofluosilicic Acid Solution	\$24,845.70
Sodium Silicate Liquid	\$208,463.60

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bids submitted by Slack Chemical of Carthage, New York, as detailed above, being the lowest qualifying bidder meeting City specifications, for the purchase of Aluminum Sulfate Liquid, Powdered Activated Carbon, Chlorine Liquid, Copper Sulfate Size B, Hydrofluosilicic Acid Solution, and Sodium Silicate Liquid for use at the City's Water Treatment Plant.

Seconded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.

Resolution No. 3 - Accepting Bid for Waste Water Treatment Plant Disinfection Improvements Project, General Construction, C.O. Falter Construction Inc.

Introduced by Council Member Teresa R. Macaluso

WHEREAS the City Purchasing Department has advertised and received sealed bids for the General Construction work for the Waste Water Treatment Plant Disinfection Improvement Project, and

WHEREAS invitations to bid were issued to twenty (20) bidders, with a total of fifteen (15) bids received, and

WHEREAS on Tuesday, May 21, 2013 at 11:00 a.m. in the City Purchasing Department, the bids received were publicly opened and read, and

WHEREAS City Manager Amy M. Pastuf reviewed the bids received with the Water Department and GHD Engineering Firm, and it is their recommendation that the City Council accept the bid from C.O. Falter Construction Inc. in the amount of \$3,923,101.00,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid submitted by C.O. Falter Construction Inc., in the amount of \$3,923,101.00 as the lowest qualifying bidder meeting City specifications, for the General Construction work for the Waste Water Treatment Plant Disinfection Improvement Project.

Seconded by Council Member Jeffrey M. Smith and carried with all voting yea.

Resolution No. 4 - Accepting Bid for Waste Water Treatment Plant Disinfection Improvements Project, Electrical Work, Dow Electrical Inc.

Introduced by Council Member Roxanne M. Burns

WHEREAS the City Purchasing Department has advertised and received sealed bids for the Electrical work for the Waste Water Treatment Plant Disinfection Improvement Project, and

WHEREAS invitations to bid were issued to twenty (20) bidders, with a total of fifteen (15) bids received, and

WHEREAS on Tuesday, May 21, 2013 at 11:00 a.m. in the City Purchasing Department, the bids received were publicly opened and read, and

WHEREAS City Manager Amy M. Pastuf reviewed the bids received with the Water Department and GHD Engineering Firm, and it is their recommendation that the City Council accept the bid from Dow Electrical Inc. in the amount of \$493,000.00,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid submitted by Dow Electrical Inc. in the amount of \$493,000.00 as the lowest qualifying bidder meeting City specifications, for the Electrical work for the Waste Water Treatment Plant Disinfection Improvement Project.

Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.

Resolution No. 5 - Accepting Bid for Waste Water Treatment Plant Disinfection Improvements Project, HVAC and Plumbing, Hyde Stone

Introduced by Council Member Jeffrey M. Smith

WHEREAS the City Purchasing Department has advertised and received sealed bids for the

HVAC and Plumbing work for the Waste Water Treatment Plant Disinfection Improvement Project, and

WHEREAS invitations to bid were issued to twenty (20) bidders, with a total of fifteen (15) bids received, and

WHEREAS on Tuesday, May 21, 2013 at 11:00 a.m. in the City Purchasing Department, the bids received were publicly opened and read, and

WHEREAS City Manager Amy M. Pastuf reviewed the bids received with the Water Department and GHD Engineering Firm, and it is their recommendation that the City Council accept the bid from Hyde Stone in the amount of \$473,568.00 for the HVAC work and \$147,867.00 for the plumbing work,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid submitted by Hyde Stone in the amount of \$473,568.00 for the HVAC work and \$147,867.00 for the plumbing work as the lowest qualifying bidder meeting City specifications, for the Waste Water Treatment Plant Disinfection Improvement Project.

Seconded by Council Member Teresa R. Macaluso

Prior to the vote on the foregoing resolution, Council Member Butler recused himself and left Council Chambers due to a financial relationship with one of the principal owners of Hyde Stone.

Mayor Graham stated that Hyde Stone installed the HVAC in the City Hall building recently and indicated there is dissatisfaction with the noise coming from this unit.

Kurt Hauk, City Engineer replied that Hyde Stone has done all the work in the building since City Hall was built.

Mayor Graham said that he has been shown what is causing the noise and some of the solutions, but the noise is annoying several people working in the building. He indicated that the City should be assured that this is going to be fixed by the contractor. He stressed that this is not a satisfactory end result of the product that has already been paid for.

Mr. Hauk noted that he has submitted a complaint to Sack and Associates which did the original review for the installation and they are to provide their recommendations for correcting this. He told Council that there is another building in Binghamton with a similar problem and they are waiting to see if the corrections have helped the noise.

Mayor Graham wanted to ensure that there would not be additional charges for making this right.

In regards to the work performed, Mr. Hauk pointed out that Hyde Stone performed the work that they were required to per the contract. He said there may be additional charges from Sack and Associates as the consultant on the project. He stressed that he needs to find the solution first before he can determine the costs.

Council Member Macaluso asked what is causing the sound.

Mayor Graham responded that it is a vibration from the condenser in the basement. He commented that the sound in some of the rooms is pretty annoying and he understands that it might have been installed properly and may be an engineering problem, but he does not think it is the City's responsibility to pay to fix it.

Council Member Burns agreed that the noise is present and wondered if Council should hold on considering this resolution until there is a more satisfactory answer as to who is responsible to fix the problem here in City Hall.

Council Member Macaluso questioned the warranty on the system that was installed in City Hall.

Ms. Addison stressed that the engineers need to reevaluate the problem because she does not think it is a defect in the unit. She recommends not stalling this resolution because it is completely unrelated and is a different project.

Council Member Smith asked for clarification that the problem is not with the installation but with the machinery.

Mr. Hauk responded that the unit is functioning properly but there is an acoustic vibration in the pipes running up the chase. He discussed some of the options that might solve the problem.

Council Member Macaluso asked if the blame lies with Hyde Stone or Sack and Associates.

Mr. Hauk indicated that he cannot answer that right now. He said that he really did not know there was going to be a problem until the unit was switched on and then there was a noise. He mentioned that he contacted the manufacturer of the unit to discuss the different options as well. He reiterated that he cannot make a determination on how to proceed until he knows what is causing the problem.

Mayor Graham reiterated that the cost to fix the flaw should not be the responsibility of the party that buys the equipment. He is concerned that the noise does not make for a very good work environment and he wants to ensure that the City is not going to take on the additional costs.

Mr. Hauk said that until he knows what the solution is, he will not know which party to address this with.

Council Member Burns noted that she is not going to support this resolution and she understands this is a totally unrelated project but it is the same installer. She clarified that she is not blaming them, but this is not a cutting edge procedure and is only an air conditioning unit in a three story building. She said that she understands that Mr. Hauk does not have a solution and she would not expect him to but both the engineer and the installer should have done projects like this before.

Council Member Smith asked if tabling this for two weeks so that Mr. Hauk had more time to work on it would cause a problem at the Waste Water Treatment Plant.

Mike Sligar, Water Superintendent replied that it would not make a difference.

Attorney Slye clarified a couple points of law. First, he said that the City Manager is correct in that one

contract cannot be held against the other so if it was found that Hyde Stone owed the City money on the first contract, the City could not refuse to pay on the second contract. Secondly, he explained the NYS bid process stressing that the bid must be awarded to the lowest responsible bidder. He cautioned against interfering with the bid process and advised Council not to table this past two weeks.

Motion was made by Council Member Jeffrey M. Smith to table the foregoing resolution. Motion was seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof except Council Member Joseph M. Butler, Jr. abstaining.

Council Member Butler returned to Council Chambers.

Resolution No. 6 - Accepting Bid for Recycling Bodies, GSP Marketing Inc.

Introduced by Council Member Jeffrey M. Smith

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of Recycling Bodies for the City's department of Public Works, and

WHEREAS invitations to bid were issued to six (6) bidders, with a total of three (3) bids received, and

WHEREAS on Wednesday, May 22, 2013 at 11:00 a.m. in the City Purchasing Department, the bids received were publicly opened and read, and

WHEREAS City Manager Amy M. Pastuf reviewed the bids received with the Department of Public Works, and it is their recommendation that the City Council accept the bid from GSP Marketing Inc., in the amount of \$139,830.00,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid submitted by GSP Marketing Inc., in the amount of \$139,830.00 as the lowest qualifying bidder meeting City specifications, for the purchase of Recycling Bodies for use by the Department of Public Works.

Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.

Resolution No. 7 - Accepting Bid for Pool Chemicals for Parks and Recreation Department, Slack Chemical Company, Inc.

Introduced by Council Member Roxanne M. Burns

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of pool chemicals for use by the City's Parks and Recreation Department, for the City's 2013-2014 fiscal years' requirements, and

WHEREAS invitations to bid were issued to five (5) bidders, with a total of two (2) bids being received, and

WHEREAS on Thursday, May 15, 2013 at 11:00 a.m. in the City Purchasing Department, the bids received were publicly opened and read, and

WHEREAS City Purchasing Manager Amy M. Pastuf reviewed the bids received with Erin E. Gardner, Superintendent of Parks and Recreation, and it is their recommendation that the City Council accept the bid from Slack Chemical, Inc., Carthage, New York, for Liquid Chlorine Muriatic Acid (HDCL), Sodium Bicarbonate, and Calcium Chloride as detailed below:

Liquid Chlorine	\$2.84 / gallon
Muriatic Acid (HCL)	\$4.44 / gallon
Sodium Bicarbonate	\$16.64 / 50# bag
Calcium Chloride	\$12.84 / 50# bag

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid submitted by Slack Chemical, Inc., Carthage, New York, as detailed above being the lowest qualifying bidder meeting City specifications, for the purchase of Liquid Chlorine Muriatic Acid (HDCL), Sodium Bicarbonate, and Calcium Chloride for use at the City's Parks and Recreation Department.

Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.

Resolution No. 8 - Authorizing Professional Services Supplemental Agreement for Preliminary Design of the Factory Street Reconstruction Project, PIN 775315, AECOM

Introduced by Council Member Jeffrey M. Smith

WHEREAS a project for the reconstruction of Factory Street, PIN 7753.15, D032467 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the cost of such project to be borne at the ratio of 80% Federal and 20% non-Federal funds, and

WHEREAS on April 19, 2010 and October 18, 2010, the City Council adopted resolutions authorizing the Master Federal Aid Local Agreement and the Marchiselli Agreement, respectively, which provide \$752,000 and \$141,000 respectively, for the costs of the Preliminary Engineering and Right-of-Way Incidentals, and

WHEREAS on November 21, 2012 the City Council of the City of Watertown approved a Professional Service Agreement between the City of Watertown and AECOM in the amount of \$612,000, and

WHEREAS the Project Design Phases I-IV have been completed at the total cost of \$896,000, necessitating a Supplemental Agreement in the amount of \$284,000, and

WHEREAS Supplemental Agreement #1 will fund the project through the Design Approval and Detailed Design phase of the project, and

WHEREAS there are currently \$940,000 in authorized State and Federal reimbursements available for the design of the project;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby

approves Supplemental Agreement #1 to the Professional Service Agreement between the City of Watertown and AECOM, a copy of which is attached hereto and made part of this resolution, and

BE IT FURTHER RESOLVED that the approval of this resolution is contingent upon the City Council approving a Bond Ordinance to cover the expenses associated with this project, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to execute this Agreement on behalf of the City of Watertown.

Seconded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.

Resolution No. 9 - Readopting Fiscal Year 2012-13 General and Library Fund Budgets

Introduced by Council Member Jeffrey M. Smith

WHEREAS on May 26, 2012 the City Council passed a resolution adopting the Budget for Fiscal Year 2012-13, of which \$42,112,872 was appropriated for the General Fund and \$1,519,886 was appropriated for the Library Fund, and

WHEREAS on August 6, 2012 the City Council re-adopted the General Fund Budget to increase appropriations by \$140,450 to pay the costs of the additional personnel and equipment costs of the Parks and Recreation Department, and

WHEREAS on January 22, 2013 the City Council re-adopted the General Fund and Library Fund Budgets to increase appropriations by \$38,000 to pay the increased costs of the Library HVAC upgrade project approved in the Fiscal Year 2011-12 Capital Budget,

WHEREAS on May 20, 2013 the City Council accepted the bid submitted by Raymond E. Kelley Building Restoration and Specialty Contractors in the amount of \$253,400 to complete the masonry and fountain restoration projects approved in the Fiscal Year 2012-13 Capital Budget leaving a budgetary shortfall of \$31,350, and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that it hereby re-adopts the General Fund Budget for Fiscal Year 2012-13 in the total amount of \$ 42,322,672 and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that the following adjustments be included in the re-adopted General Fund Budget:

Revenues

A.0000.0909	Fund Balance	<u>\$ 31,350</u>
Total		<u>\$ 31,350</u>

Expenditures

A 9512.0900	Transfer to Library Fund	<u>\$ 31,350</u>
Total		<u>\$ 31,350</u>

And,

BE IT FURTHER RESOLVED by the City Council of the City of Watertown, New York that it hereby re-adopts the Library Fund Budget for Fiscal Year 2012-13 in the total amount of \$1,589,236 and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that the following adjustments be included in the re-adopted Library Fund Budget:

Revenues

L.0000.5031	Inter-fund Transfer	\$ 31,350
Total		<u>\$ 31,350</u>

Expenditures

L 9950.0900	Transfer to Capital Projects Fund	\$ 31,350
Total		<u>\$ 31,350</u>

Seconded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.

OLD BUSINESS

The Ordinance “Amending the Code of the City of Watertown, §310-1, Definition of Family and §310-34, Accessory Uses in Residence Districts”. *(Introduced on 4/1/2013; tabled on 4/15/2013; appears in its entirety in the 2013 Minutes Book on page 5 of the 4/1/2013 minutes).*

No motion was made to take from the table.

STAFF REPORTS

Board and Commission Appointments

Mayor Graham suggested asking John B. Johnson, Jr. to continue on DANC because of his close involvement in the resolution of the Mercy issue. He stated that he will contact Mr. Johnson.

Council Member Butler mentioned that Mark Lavarney would be willing to serve another term on the Empire Zone Admin. Board and he will contact William Welbourn and Joanne St. Croix in order to obtain their interest in continuing on the board.

Mayor Graham remarked that he would like Mr. Mix’s recommendation on the Planning Board and that he would discuss this with him tomorrow.

In regards to the Board of Assessment Review, Mayor Graham suggested asking James Fraser to continue and asked for staff’s suggestions for the other position.

Invitation to the Mayor Joseph M. Butler Pavilion Dedication

Mayor Graham invited everyone to the dedication of the JB Wise Pavilion to Mayor Butler on Saturday, June 8th at 9:00 a.m.

North Hamilton Street Curbing/Paving Project

Mayor Graham mentioned that members of Council went to see the curbing on South Hamilton Street and did not find it as bad as others thought.

Council Member Smith stated that the project is proceeding nicely and wonders if the confusion was because the paving was not done yet. He reminded Council that this process has been done on various streets throughout the City with great results. He wondered if there was a misunderstanding because the residents were not seeing the final product.

Mayor Graham noted that the pin on curbs are never going to look exactly like the ones done using forms. He agreed that it will look better once the blacktop is laid.

Council Member Burns said that it needs to be noted that the street is at least getting curbing because there were several years that curbing throughout the City was neglected. She said this was phased in and every street cannot be done at once. She mentioned that her street does not have curbing which makes her appreciate the value of curbing on the streets mentioned by Council Member Smith. She hopes that neighbors in that area realize that this is not a finished product but once it is done, it will look pretty nice.

Mentioning her street, Council Member Macaluso said this type of curbing was done a few years ago and once the paving is done, it looked very nice. She asked the residents to be patient and wait to see what it looks like when it is completed.

NEW BUSINESS

Letter of Gratitude from Jeffrey T. Fallon

Council Member Butler informed Council of a letter written by Jeffrey T. Fallon, 490 Barben Avenue to the City Manager commending the individuals responsible for trash/recycle and tree limb removal and for their excellent client service. He asked that this be submitted as a Communication and that the City Manager passed the complementary words onto the staff.

Phelps Street

Mayor Graham stated that he has received some complaints about curbs and parking on Phelps Street.

Council Member Macaluso remarked that tickets have been issued because there are no curbs and the street is not wide enough for parking. She advised that she spoke with Chief Comins and Mr. Hauk regarding this and they are looking into a solution.

Written Notice regarding Thompson Boulevard

Mayor Graham commented that there was a communication regarding a deficiency on Thompson Boulevard and asked that this be forwarded to the Public Works Department.

Mowing of Grass at the Mercy Property

In the past, Mayor Graham said, there was a practice of mowing property and the fee was waived by the City Manager. He asked that waiving of fees should be done by Council through a resolution. In this particular case, he thought that it would be advantageous to the City to consider waiving the fees of any work that was done while under the ownership of MGNH because otherwise it would be rolled onto the tax bill of the new owners. He said that the media reported that the prospective new owner had initiated foreclosure proceeding against MGNH.

Attorney Slye informed Council that if it is a deed in lieu of foreclosure, it could happen quite fast. Otherwise, he said that it could be done prior to Christmas of this year.

Watertown Rams Lease

Ms. Addison informed Council that the Watertown Rams would like to change their lease to allow Savory Downtown to handle the concessions and alcohol sales for the season. She stated that Savory Downtown is still waiting for a decision from the SLA before this can move forward. In a good faith effort, she would like to give Savory Downtown the permission to sell concessions at the exhibition games scheduled for this evening and tomorrow. She noted that the opening game is this Thursday and she is hopeful that they will have something from the SLA in order to amend the agreement before then. She suggested having an emergency meeting when this all happens so that Council can approve it.

Attorney Slye advised that if Council wants them to be able to sell alcohol for Thursday's game assuming the SLA license is obtained, then Council needs to adopt something and suggested the wording for a resolution.

The following resolution was offered:

Introduced by Council Member Roxanne M. Burns

WHEREAS Council understands that under the express terms of the existing agreement the sale of alcohol by Savory Downtown would constitute a violation, because the franchise extends to the Watertown Rams and not to Savory Downtown.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that, in light of the fact that it appears that Savory Downtown will obtain a license to sell alcohol for the Watertown Rams games, and will be granted a sub-franchise to be approved by the Council under terms that the City Manager has drafted, the City Council hereby waives the contractual provision concerning exclusivity of sale of alcohol by the Watertown Rams with the understanding that such sale of alcohol will be performed by a licensed and insured sub-franchisee until such time as a formal amendment to the contract can be adopted.

Seconded by Council Member Teresa R. Macaluso

Rules waived by Motion of Council Member Roxanne M. Burns, seconded by Council Member Joseph M. Butler, Jr. and carried with all voting in favor thereof.

Prior to the vote on the foregoing resolution, Mayor Graham commented that Council does not want to stand in the way of this but he wanted assurance that this would not be an expansion of the contract for any additional events.

Attorney Slye stated that it would not.

Mayor Graham pointed out that the term of the lease will not match the term of the license so the SLA might give out day permits.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.

PILOT for Woolworth Building

Ms. Addison told Council that she had received a draft PILOT agreement for the Woolworth Building today but she has not had time to review it closely with Staff. She said that she hoped to have a report on this for next Monday's work session.

Waiver of Fees

Referring to Mayor Graham's early comment regarding waiving fees, Ms. Addison indicated that she has received some requests for waivers but she has not given any waivers. She will ensure that they are forwarded to Council in the future.

ADJOURNMENT

At the call of the chair, meeting was duly adjourned at 7:34 p.m. until Monday June 10, 2013 at 7:00 p.m. by motion of Council Member Joseph M. Butler, Jr., seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.

Ann M. Saunders

City Clerk